

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

JOSEPH W. HUBER, JR.,

Petitioner,

: Case No. 3:11-cv-8

-VS-

TERRY TIBBALS, Warden,  
London Correctional Institution,

District Judge Thomas M. Rose  
Magistrate Judge Michael R. Merz

Respondent.

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**ORDER ADOPTING REPORT AND RECOMMENDATIONS**

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The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (ECF No. 60), to whom this case was referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby ADOPTS said Report and Recommendations.

Accordingly, it is ORDERED that the Writ of Habeas Corpus is dissolved and this case is dismissed for lack of jurisdiction.

February 9, 2016

\*s/Thomas M. Rose

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Thomas M. Rose  
United States District Judge